

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES--GENERAL

Case No. **2:23-cv-06468-SSS (DTB)**

Date: **May 10, 2024**

Title: **DiAuntae Jamar Montgomery v. Los Angeles County Sheriff Department,
et al.**

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DOCKET ENTRY

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PRESENT:

HON. DAVID T. BRISTOW, MAGISTRATE JUDGE

S. Lorenzo
Deputy Clerk

n/a
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:

None present

ATTORNEYS PRESENT FOR DEFENDANT(S):

None present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE RE
COURT'S ORDER REGARDING SECOND AMENDED COMPLAINT [DKT.
28]**

On July 31, 2023, plaintiff filed this pro se civil rights action in the Northern District of California. On August 7, 2023, the Northern District transferred this matter to this Court's calendar. After being granted leave to proceed in forma pauperis, plaintiff filed a First Amended Complaint ("FAC") on November 9, 2023. On January 25, 2024, the Court issued an Order Regarding First Amended Complaint ("FAC Order") wherein plaintiff was advised that his FAC was subject to dismissal. In response to the Court's FAC Order, plaintiff filed a Second Amended Complaint ("SAC") on March 4, 2024. On March 25, 2024, the Court issued an Order Regarding Second Amended Complaint ("SAC Order") wherein plaintiff was advised that his SAC was subject to dismissal. The Court provided plaintiff with several options regarding how to proceed. Plaintiff's response to the SAC Order was due on or before April 25, 2024. As of this date, plaintiff has not responded to the Court's SAC Order. Plaintiff was cautioned that failure to timely file a fully compliant response as directed by the Court's SAC Order, may result in the dismissal of this action for failure to prosecute and/or failure to comply with a Court order.

Plaintiff is ORDERED to show cause why this action should not be dismissed for lack of prosecution and failing to comply with a Court order. Plaintiff may

alternatively file a fully compliant response as directed by the Court's SAC Order to discharge this Order to Show Cause. Plaintiff's response is due no later than **June 7, 2024**.

Accordingly, plaintiff is hereby cautioned that failing to comply with this Order to Show Cause will result in the recommendation that this action be dismissed for failure to prosecute and failure to comply with the Court's orders.